Form PTO-1390	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371	ATTORNEY'S DOCKET NUMBER P29832
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) **10/577426**

INTERNATIONAL APPLICATION NO. PCT/JP2004/015941	INTERNATIONAL FILING DATE 27 October 2004	PRIORITY DATE CLAIMED 27 October 2003

TITLE OF INVENTION
POROUS CALCIUM PHOSPHATE CERAMIC AND METHOD FOR PRODUCING SAME

APPLICANT(S) FOR DO/EO/US
Toshio MATSUMOTO and Masanori NAKASU

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.

2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.

3. ☒ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (23) indicated below.

4. ☒ The US has been elected (PCT Article 31).

5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
   a. ☐ is attached hereto (required only if not communicated by the International Bureau).
   b. ☒ has been communicated by the International Bureau.
   c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).

6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
   a. ☒ is attached hereto.
   b. ☐ has been previously submitted under 35 U.S.C. 154 (d) (4).

7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
   a. ☐ are attached hereto (required only if not communicated by the International Bureau).
   b. ☐ have been communicated by the International Bureau.
   c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
   d. ☐ have not been made and will not be made.

8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).

9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. .371(c)(4)).

   "Executed"

10. ☒ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 22 below concern other document(s) or information included:

11. Assignee: <u>PENTAX Corporation, of Tokyo, Japan</u>

12. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.

13. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

14. ☒ A FIRST preliminary amendment.
    ☐ A SECOND or SUBSEQUENT preliminary amendment.

15. ☐ An Application Data Sheet under 37 C.F.R. 1.76.

16. ☒ A substitute specification.

17. ☐ A power of attorney and/or change of address letter.

18. ☒ Figure of Drawing to be published: <u>1</u>

19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.

20. ☐ A second copy of the published international application under 35 U.S.C. 154 (d) (4).

21. ☐ A second copy of the English language translation of the international of the international application under 35 U.S.C. 154 (d) (4).

22. ☒ Other items or information:
    International Application as published in Japanese (Cover Sheet).
    PCT/ISA/210 International Search Report (in English and Japanese).
    PCT/IPEA/409 International Preliminary Examination Report (in Japanese) and Annex (in English and Japanese).
    PCT/IB/308.
    Claim of Priority.

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER	
10/577426	PCT/JP2004/015941	P29832	
		CALCULATIONS	PTO USE ONLY

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23 ☒ The following fees are submitted: Basic national fee...300.00	$300.00	
24 ☒ Examination Fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33 (1)-(4)..0.00 All other situations...200.00	$200.00	
25 ☒ Search fee Search fee (37 CFR 1.445(a) (2)) has been paid on the international application to the USPTO as an International Searching Authority.................................0.00 International Search Report prepared and provided to the Office...........400.00 All other situations..500.00	$400.00	
TOTAL 23, 24 and 25 =	$900.00	

☐ Additional Fee for Specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in electronic medium). The fee is $250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round **up** to a whole number)	RATE		
-100=	/50 =		x $250.00	$ 0.00	
Surcharge of **$130.00** for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				$ 0.00	
Claims	Number Filed	Number Extra	Rate		
Total Claims	12 - 20 =	0	x $50.00	$ 0.00	
Independent Claims	2 - 3 =	0	x $200.00	$ 0.00	
Multiple Dependent Claim(s) (if applicable)			+ $360.00	$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				$900.00	
☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.				$ 0.00	
SUBTOTAL =				$900.00	
Processing fee of **$130.00** for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (i)).				$ 0.00	
Extension of Time fee in the amount of $				$ 0.00	
TOTAL NATIONAL FEE =				$900.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **$40.00** per property				$ 40.00	
TOTAL FEES ENCLOSED =				$940.00	
•				Amount to be refunded	$
				Charged	$

a. ☒ A check in the amount of $940.00 to cover the above fees is included.

b. ☐ Please charge my Deposit Account No. _____ in the amount of $_____ to cover the above fees.

c. ☒ The U.S. Patent and Trademark Office is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0089.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit car information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO **CUSTOMER NO. 07055**
AT THE PRESENT ADDRESS OF:

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REGISTRATION NUMBER